



DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are  
as stated below next to my name.

5

I believe I am the original, first and sole inventor  
(if only one name is listed below) or an original, first and  
joint inventor (if plural names are listed below) of the  
subject matter which is claimed and for which a patent is  
sought on the invention entitled APPARATUS AND METHOD FOR  
10 MANIPULATING TISSUE, the specification of which was filed on  
12/01/03, assigned Serial No. 10/724,854 and identified by  
Attorney's Docket No. LIDDICOHN-123.

10

15

I hereby state that I have reviewed and understand the  
contents of the above-identified specification, including  
the claims.

I acknowledge the duty to disclose information which is  
material to the examination of this application in  
accordance with Title 37, Code of Federal Regulations,  
Section 1.56(a).

20

I hereby claim priority benefits under Title 35, United  
States Code, Section 119(e), of:

LIDDICOHN-123

(1) pending prior U.S. Provisional Patent Application  
Serial No. 60/429,568, filed 11/29/02 by John R. Liddicoat  
et al. for TISSUE MANIPULATING METHODS AND DEVICES  
(Attorney's Docket No. LIDDICOHN-1 PROV);

5 (2) pending prior U.S. Provisional Patent Application  
Serial No. 60/453,294, filed 03/11/03 by John R. Liddicoat  
et al. for TISSUE MANIPULATING METHODS AND DEVICES  
(Attorney's Docket No. LIDDICOHN-2 PROV); and

10 (3) pending prior U.S. Provisional Patent Application  
Serial No. 60/458,128, filed 03/27/03 by John R. Liddicoat  
et al. for TISSUE MANIPULATING METHODS AND DEVICES  
(Attorney's Docket No. LIDDICOHN-3 PROV).

I hereby appoint Pandiscio & Pandiscio, a firm composed  
of Nicholas A. Pandiscio, Registration No. 17,293, Mark J.  
15 Pandiscio, Registration No. 30,883, Scott R. Foster,  
Registration No. 20,570, and James A. Sheridan, Registration  
No. 43,114, or any of them, of 470 Totten Pond Road,  
Waltham, Massachusetts 02451, (Telephone No. 781-290-0060),  
my attorneys with full power of substitution and revocation,  
20 to prosecute this application and to transact all business  
in the Patent Office connected therewith.

Please direct all correspondence in this matter to

Mark J. Pandiscio

Pandiscio & Pandiscio, P.C.

470 Totten Pond Road

Waltham, MA 02451-1914

5

Tel.: 781 290 0060

Fax.: 781 290 4840

Please direct all telephone calls to:

Mark J. Pandiscio or

Nicholas A. Pandiscio

10

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

15

20

- 4 -

Inventor's signature:

John R. Liddicoat

5

Inventor's full name:

Date:

68 Myrtle Street, Apt. 4

Residence:

Boston, MA 02114

Post Office Address:

Same

10

Citizenship:

USA

  
John R. Liddicoat

Inventor's signature:

William E. Cohn

15

Inventor's full name:

6.01.04

Date:

104 Lagrange Street

Residence:

Chestnut Hill, MA 02467

Postal address:

Same

Citizenship:

USA

20

KT/LIDDICOHN123.A&B

LIDDICOHN-123

TOTAL P.02



DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:  
My residence, post office address and citizenship are  
as stated below next to my name.

5 I believe I am the original, first and sole inventor  
(if only one name is listed below) or an original, first and  
joint inventor (if plural names are listed below) of the  
subject matter which is claimed and for which a patent is  
sought on the invention entitled APPARATUS AND METHOD FOR  
10 MANIPULATING TISSUE, the specification of which was filed on  
12/01/03, assigned Serial No. 10/724,854 and identified by  
Attorney's Docket No. LIDDICOHN-123.

I hereby state that I have reviewed and understand the  
contents of the above-identified specification, including  
15 the claims.

I acknowledge the duty to disclose information which is  
material to the examination of this application in  
accordance with Title 37, Code of Federal Regulations,  
Section 1.56(a).

20 I hereby claim priority benefits under Title 35, United  
States Code, Section 119(e), of:

LIDDICOHN-123

(1) pending prior U.S. Provisional Patent Application  
Serial No. 60/429,568, filed 11/29/02 by John R. Liddicoat  
et al. for TISSUE MANIPULATING METHODS AND DEVICES  
(Attorney's Docket No. LIDDICOHN-1 PROV);

5 (2) pending prior U.S. Provisional Patent Application  
Serial No. 60/453,294, filed 03/11/03 by John R. Liddicoat  
et al. for TISSUE MANIPULATING METHODS AND DEVICES  
(Attorney's Docket No. LIDDICOHN-2 PROV); and

10 (3) pending prior U.S. Provisional Patent Application  
Serial No. 60/458,128, filed 03/27/03 by John R. Liddicoat  
et al. for TISSUE MANIPULATING METHODS AND DEVICES  
(Attorney's Docket No. LIDDICOHN-3 PROV).

I hereby appoint Pandiscio & Pandiscio, a firm composed  
of Nicholas A. Pandiscio, Registration No. 17,293, Mark J.  
15 Pandiscio, Registration No. 30,883, Scott R. Foster,  
Registration No. 20,570, and James A. Sheridan, Registration  
No. 43,114, or any of them, of 470 Totten Pond Road,  
Waltham, Massachusetts 02451, (Telephone No. 781-290-0060),  
my attorneys with full power of substitution and revocation,  
20 to prosecute this application and to transact all business  
in the Patent Office connected therewith.

Please direct all correspondence in this matter to

Mark J. Pandiscio

Pandiscio & Pandiscio, P.C.

470 Totten Pond Road

5 Waltham, MA 02451-1914

Tel.: 781 290 0060

Fax.: 781 290 4840

Please direct all telephone calls to:

Mark J. Pandiscio or

10 Nicholas A. Pandiscio

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

15  
20

Inventor's signature:



5 Inventor's full name:

John R. Liddicoat

Date:

April 29, 2004

**Residence:**

68 Myrtle Street, Apt. 4

## 10 Citizenship:

Same

## 10 Citizenship:

USA

Inventor's signature:

---

Inventor's full name:

William E. Cohn

15 Date:

---

Residence:

104 Lagrange Street

Chestnut Hill, MA 02467

Postal address:

Same

### Citizenship:

**USA**